

Improvement Res. No. 966-1957

For the vacating of Pittsburg Street
from the east property line of Kitch
Street to the east property line of Lots
72 and 75, Harvester View 2nd Augmented
Addition.

Resolution Adopted:

Jan. 23, 1958

Confirmed:

ALL ACTION RESCINDED

Feb. 20, 1958

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to

All as shown by a plan of such proposed ~~Opening~~ ~~Vacation~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows:

Lot 23 and 25, Harvester View Subdivision Addition. Said addition is on file in the City of Fort Wayne.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5%) per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described ~~vacation~~ are situated in the northwest quarter of Section 30, North 2nd 13 East and 14 South within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 23rd DAY OF January 19 58

Attest:

Secretary Board of Public Works.
Clerk

Board of Public Works.

U. S.

40

STREET

40

76

24

43

75

116.5

(TO BE VACATED)

STREET

50

50 PITTSBURG

116.5

39

72

39

53

KITCH

116.5

54

40

N



MAUMEE 4
5
AVENUE
7
STREET

157
ACRE 3
ADD. 15

29		
30	40	
31	40	
32	43	
110		

PITTSBURG

33	39	
34	"	
35	"	
36	"	
37	"	
38	"	
39	"	
40	39	
110		

PENNSYLVANIA

41	42	
42	42	
43	40	
44	"	
45	"	
46	"	

KITCH

40	76	
43	75	
116.5		
50	ST.	ADDITION
39	72	
2ND	53	
39	54	
39	55	
"	56	
"	57	
"	58	
39	59	
116.5		

ADD.

50		
42	116.5	
"	60	
"	61	
"	62	
42	63	
41.5	64	
40	65	



60

60

65 70

60 60

NOTICE TO PROPERTY OWNERS

DECLARATORY RESOLUTION NUMBER 966-1957

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary for the vacation of Pittsburg Street from the east property line of Kitch S treet to the east property line of Lots No. 72 and 75, Harvester View 2nd Augumented Addition.

All as shown by a plan of such proposed vacation as above described, now on file in the office of the Department of Public Works of the City of Fort Wayne, Indiana. The property which may be injuriously or beneficially affected by such vacation is described as follows: Lots 72 and 75, Harvester View 2nd Augmented Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

The cost of said vacation shall be assessed against the property Beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 20th day of February, 1958 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 6:30 o'clock P.M., CST the Board will meet at its office for the purpose of taking final action thereon.

B. J. SWANSON
JOHN COOPER
ORIN M. DARLING
BOARD OF PUBLIC WORKS

ATTEST: Kenneth McGraw, Clerk.

PUBLISH: January 29 and February 5.

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

Order No.

62

Date March 14, 1957

To Mr. D. C. Morin, City & Adm. Engineer

Subject Prepare Preliminary Plans & Property Owner List

For the vacating of Pittsburg Street from the east property line of Kitch Street to the east property line of Lots No. 72 and 75, Harvester View 2nd Augmented Addition.

John C. ...
Don M. ...
BOARD OF PUBLIC WORKS

Signed JLH:c

Reply:

November 26, 1957

~~Final~~ Plans, Property Ownership List and resolution completed and attached.

Donald E. Bodeker
DONALD BODEKER
Office of City Engineers

Bw mty 12/2/57
Bk 38 Pg. 112

Signed

Howard A. Byggs
Acting City Engineer
SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

Indep

File case with the Resolution

Date April 9, 1957

To: Mr. D. C. Morin, City & Adm. Engineer

Subject: Vacation of Pittsburgh St. from east property line of Lots 72 & 75, Harvester
View Second Augmented Addition.

The above information was received from a Newspaper clipping received from Mr. Feustel's office.

According to our records No Water Main or Service affected by the above vacation.

R. C. Kreckman
R. C. Kreckman
WATER ENGINEERING DEPARTMENT

Curry
RCK:m

CC: B/W



Order No.

Date March 7, 1957

To City Plan Commission 505 Standard Bldg.

Subject Investigation and report

For the vacating of Pittsburg Street from the east property line of Kitch Street to the east property line of Lots No. 72 and 75, Harvester View 2nd Augmented Addition.

[Signature]
[Signature]
[Signature]
BOARD OF PUBLIC WORKS

JLH:c

encl.

Signed _____

Reply:

We have no objection to the above street vacation for the following reasons:

1. Due to the nearness of the new Distribution Highway, this portion has no value as an east and west street.

2. The service station immediately east of the dead end of Pittsburgh Street uses this unimproved part for an access to Kitch Street and its cross-over into the westbound lane of the Distribution Highway, thereby causing additional conflict with the east-bound traffic.

Signed

William Jones - City Plan Commission

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

38-112-5

Board Order No. 726

Date Dec. 2, 1957

To Traffic Engineer

Subject Investigation and report - Dec. Res. No. 966 - Vacating of Pittsburg Street

from the east property line of Kitch Street to the east property line of
Lots No. 72 and 75, Harvester View 2nd Augmented Addition.

S/ B. J. Swanson

S/ John Cooper

S/ Orin M. Darling

BOARD OF PUBLIC WORKS

JLH:c

encl. Res.



Signed _____

Reply: _____

Gentlemen:

Please be advised that the undersigned has reviewed the above matter and we have no particular objection of vacating Pittsburg Street as described above. However, your attention is directed to the fact that a business establishment is located adjacent to and immediately east of the dead end area of Pittsburg Street. In some instances this would require certain traffic to travel U.S. 30 to the business establishment at the end of Pittsburg Street and also travel U.S. 30 eastward to a cross-over and return to the residential area located to the south and west of Pittsburg and Kitch Streets.

Signed _____

J. J. White
City Traffic Engineer

SENDER: REMOVE & KEEP 2ND COPY — RECEIVER: ANSWER KEEP 3RD COPY & RETURN 1ST COPY TO SENDER.

→ Board Mtg 1-23-58
38-189-10

March 4, 1957
St. Wayne Ind.

Board of Public Works
City Hall

Dear Board Members

We request the closing
of Pittsburg St. extended East
of Kitch Ave.

In summer it is a
Hot Rod track endangering
the lives of many children
going to the filling station.

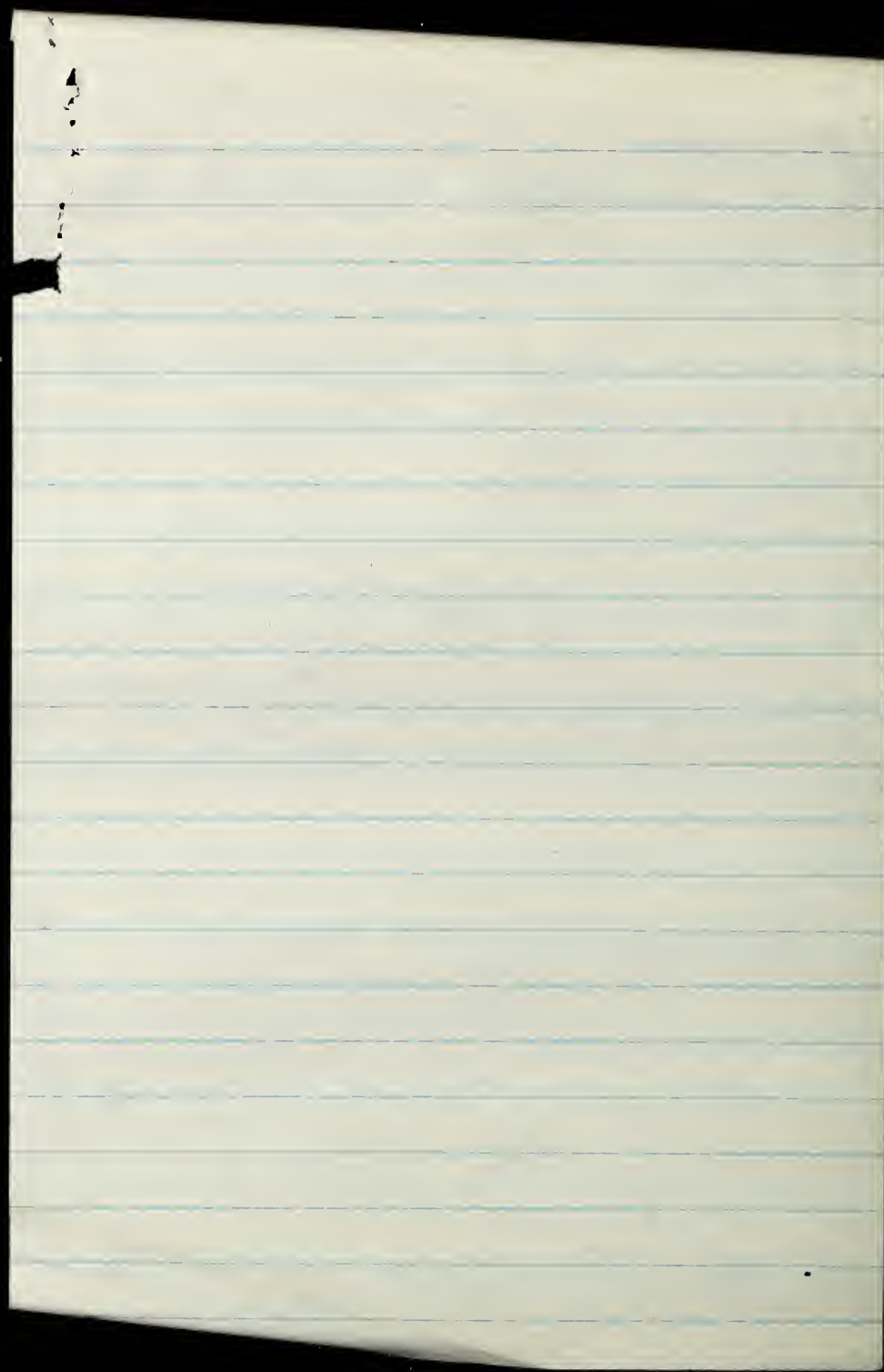
Now it is a mud hole
filled 3 inches higher than
the lawns on both sides
with dirt from the county
Highway trucks ordered in
there by a none property
owner along the St. Now
when it rains neither one
of the property owners can
get in or out of there

garages.

I called the Inspector at the time the dirt was dumped and he ordered the man to remove the dirt. But so far it is still in the St.

"Thank you".

Sincerely
Mrs Neoma Marable
1401 Kitch Ave.
city.



P E T I T I O N

Fort Wayne, Ind.,

March 5, 1957

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on _____, from

to _____

respectfully petition for the passage of a resolution providing for the vacation of Pittsburg Street from the east property line of Kitch Street to the east property line of Lots 72 and 75, Harvester View 2nd Augmented Addition.

NAME

ADDRESS

Petitioner

Elmer Marable

Neoma Marable

1401 Kitch Ave. Ft. Wayne

Dorothy Donahue

1327 Kitch Ave. Ft. Wayne, Ind.

J. H. Stoner

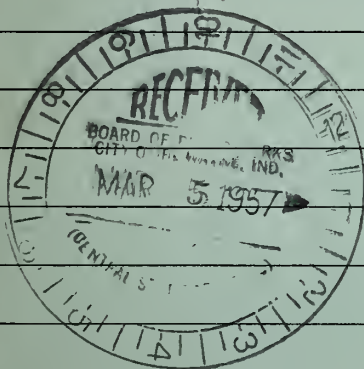
1334 Kitch ave Ft. Wayne, Ind.

Harry A. Lovell

1406 Kitch St. Ft. Wayne Ind.

John Maloney

1326 Kitch St. Ft. Wayne Ind.



Petition for Passage

of a Resolution for

The vacating of Pittsburg Street

from the east property line of Kitch
Street to the east property line of

lots No. 72 and 75, Harvester View
2nd Augmented Addition.

from

to

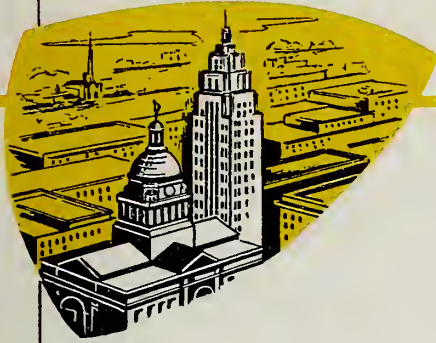
Filed with the Board of Public Works

Re: to City Plan

3/7/57



File
Broad info



Joe Goldstine & Son

REAL ESTATE BROKERS

- 303 STRAUSS BUILDING
- FORT WAYNE, INDIANA
- PHONE ANTHONY 3121

February 19, 1958

Secretary Board of Public Works
City Hall
East Berry Street
Fort Wayne, Indiana

Dear Sir:

Subject: Vacating of Pittsburgh Street
Declaratory Resolution #966-1957

The undersigned has been involved in the development of properties East of Fort Wayne along U. S. Route #30 in the general vicinity of property now owned by Mr. Edward Schlecht and Mr. Russell Thomson. The most recent development on this particular tract has been the erection of a building for the sale of frozen custard.

In representing Mr. Schlecht and Mr. Thomson, it is this firm's opinion that the following values can be reasonably established for their real estate:

Standard Oil Station	\$46,000
Custard Stand	17,000
Approximately 2 Acres Vacant	15,000
	<u>\$78,000</u>

We feel that vacating Pittsburgh Street would not be to the best interest of the city, as it would make further development of the remaining vacant two acres of our clients more difficult, inasmuch as there would be less access to this land.

Lack of development would necessarily mean less taxes available on improvements and would probably cause this land to remain over grown with weeds and more of a blighted area.

Very truly yours,

JOE GOLDSTINE & SON

Robert Goldstine
Robert Goldstine

RG:v

BUSINESS PROPERTIES • FACTORY SITES • PROPERTY MANAGEMENT • GENERAL INSURANCE • SHOPPING CENTERS

8/10/58
File
West Vacations
Pittsburgh St.

City of Fort Wayne



Rext# 966

OFFICE OF
CITY PLAN COMMISSION

2

FORT WAYNE 2, INDIANA

February 11, 1958

Board of Public Works
City Hall
Fort Wayne, Indiana

re: Street vacation of Pittsburgh Street
Our report of March 7, 1957, regarding such vacation

Gentlemen:

Our report of March 7, 1957, was so written as to possibly present an erroneous picture in so far as traffic conflict is concerned and should be corrected to read substantially as follows.

We have no objection to the above street vacation because due to the proximity of the new Distribution Highway, this portion of Pittsburgh Street has no value as an east-west thoroughfare nor does it aid the general circulation pattern.

The service station immediately east of the dead-end of Pittsburgh Street uses this unimproved part of the street for an access to Kitch Street, and the neighborhood west of Kitch Street and south of Highway #30. Many of the service stations' customers are from this neighborhood and consequently, this portion of Pittsburgh Street is probably considered to be of value to the owners of the service station, because these customers use Pittsburgh Street for both ingress and egress to the service station without having to use or cross over Highway #30.

Those customers of the service station who would use Pittsburgh Street and then Kitch Street to crossover Highway #30, or turn into Highway #30 in a westerly direction, are undoubtedly in the minority. However, it would be better to have a few persons use this means of exit from the service station rather than to have them pull out onto Highway #30 in an easterly direction and then make a U-turn at the first crossover. Either way results in a conflict with east bound traffic, but the method of using Pittsburgh and Kitch Street is considered to be less

City of Fort Wayne



OFFICE OF
CITY PLAN COMMISSION

2

FORT WAYNE 2, INDIANA

page 2

detrimental than a U-turn at the first crossover east of the service station.

Very truly yours,

CITY PLAN COMMISSION

William Johannsen

William Johannsen
Planning Director

WJ/ps

REMONSTRANCE

Fort Wayne, Ind., February 17, 1958

To the Board of Public Works of the City of Fort Wayne:

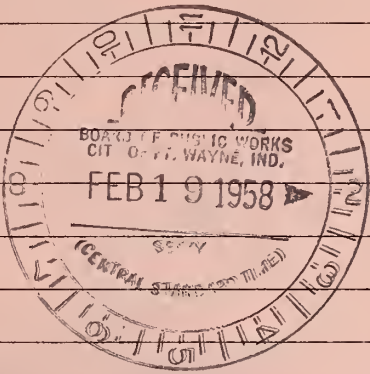
Gentlemen:

The undersigned, owners of real estate respectfully remonstrate against the passage of a resolution providing for the vacation of Pittsburg Street from the East property line of Kitch Street to the East Property line of Lots numbered 72 and 75 in Harvester View Second Augmented Addition.

NOTE: In case of joint deeds both husbands and wives must sign with their respective legal signatures.

NAME	ADDRESS
Edward L. Debecht	302 West Sherwood Terrace
Marvaline Schlecht	302 West Sherwood Terrace
Russell S. Thomsen	323 West Maple Grove
Mary Katherine Thomsen	323 West Maple Grove
David R. Cornall	1215 Fairview ave.
Mrs David Cornall	1215 Fairview ave.

(SEE ATTACHED REMONSTRANCE FOR DETAILS AND ARGUMENTS.)



**Remonstrance
Against Passage**

of a Resolution for

from _____

to _____

Filed with the Board of Public Works

REMONSTRANCE AGAINST
DECLARATORY RESOLUTION NUMBER 966 - 1957

Come now those who have signed the remonstrance against the Declaratory Resolution Number 966-1957 and for their grounds of remonstrance against the vacating of Pittsburg Street from the East property line of Kitch Street to the East property line of Lots Numbered 72 and 75 in Harvester View Second Augmented Addition, say as follows:

1. That there would be no public benefit derived in any manner from the vacation of this portion of Pittsburg Street.

2. That the vacation of this portion of Pittsburg Street would be of Private benefit only to the two adjoining property owners who would by this vacation obtain 25 feet of real estate to become part of their present lots.

3. Such a vacation would be against the interests of the City of Fort Wayne and to the public for the further reason that recently Kitch Street was improved with concrete pavement and that portion of Kitch Street that connects with the portion of Pittsburg Street being sought to be vacated was paved at City expense and any vacation at this time would grant free of charge to the adjoining property owners 25 feet of real estate with a paved street in front of it recently paved at the expense of the City. It is further set forth that when Kitch Avenue was paved that the curb line was broken at the point where Pittsburg Street goes in an Easterly direction and the curbing and street were paved as an access to Pittsburg Street.

4. That it would be against the public interests to vacate this section of Pittsburg Street for the reason that it

is presently being used as a street for access to a private business known as the Standard Service Station operated by one of the remonstrators, David Carnall, and that the closing or vacating of this Street would require the residential traffic that uses Pittsburg Street to gain access to this filling station to go down Kitch Street to the U. S. Highway 30 and 24. To require said traffic to go out on said highway and then proceed only a short distance to the filling station would be creating an additional traffic hazard on a through distribution highway.

5. In addition to the previous number, if this street were vacated, those residents desiring to use the facilities of the Standard Oil Company, access to which is by Pittsburg Street as well as the distribution highway, would be required after having used the services of the Standard Oil Company to proceed East away from their homes for nearly a quarter of a mile before there is an authorized turn around to return on the distribution highway to Kitch Avenue and thence to their homes. This would require the residential traffic that uses Pittsburg Street for access to this Station to be placed out on the distribution highway with cross country traffic and would require those persons to make a turn around at the clover leaf east of this area which is highly congested area traffic wise. That it would be for the safety of the residents of the area immediately to the Southwest of this portion of Pittsburg Street that Pittsburg Street remain open for those customers to use the facilities of the Standard Oil Company.

6. The remonstrators would further show that when the real estate immediately East of Kitch Avenue and Harvester View Second Augmented Addition was purchased by the remonstrators, this area was intended for development to service both the highway and the neighborhood and that therefore the station was placed in such a position that it could be serviced from both the neighborhood through Pittsburg Street and by the parties traveling on the highway.

7. The remonstrators would further show that the private business operated by Mr. Carnall also caters to the children in the neighborhood for candy and other small items and that the children coming to the station presently use the portion of Pittsburg being sought to be vacated and that if this street were vacated it would require said children to have to go to the distribution highway in order to reach this station. In addition there is no side walk along the distribution highway and this would require the children to be using the highway for the purpose of walking to this business establishment.

8. Mr. Thomson and Mr. Schlecht who own the real estate presently leased to the Standard Oil Company and also that real estate South of the Standard Oil Company to Pennsylvania Street are planning a development of said real estate using Pennsylvania Street as the Southern entrance to this area and Pittsburg Street as the Northern entrance to this area. Therefore, any vacation of Pittsburg Street would not allow access to the Northern portion of the undeveloped real estate owned by two of the remonstrators. The remonstrators would further show that any development of this area owned by remonstrators would be such that persons using that area coming to and from the area would use the bus service to the

City of Fort Wayne that travels on Kitch Street. The present bus stop would be at the corner of Pittsburg Street and Kitch Street and if this street were vacated persons desiring to use the facilities of the Fort Wayne Transit Company could not reach them through Pittsburg Street but would be required to walk down the distribution highway in order to reach Kitch Street. The remonstrators, Thomson and Schlecht would further show that they have a present investment in the real estate and improvements thereon in the approximate value of \$78,000.00, and that in addition thereto Mr. Carnall has an investment of approximately \$5,000.00 and the Standard Oil Company of \$10,000.00, and that approximately one eighth of the use and livelihood of this real estate comes from customers using the entrance of Pittsburg Street from Kitch Street. Therefore, any vacation of this portion of Pittsburg Street would result in damages to the said remonstrators in the amount of one eighth of this value or \$ 10,375.00

9. In addition thereto the remonstrator, Mr. Carnall would lose by the vacation of Pittsburg Street, one eighth of his gross operating revenue in the approximate amount of \$6,000.00 per year.

THEREFORE, the remonstrators would show to the Board of Works that it is not to the public interest at all that this street be vacated and that the only purpose for vacation would be the private interests of the two adjoining lot owners and that any vacation of this section of Pittsburg Street would result in damages to the abutting owners and operators of the real estate East of Pittsburg Street in the amount of \$16,375.00.

WHEREFORE, the remonstrators pray that the Board of Works rescind the Resolution Number 966-1957 filed on March 7, 1957 and that all of Pittsburg Street East of Kitch Street to remain open and available for the use of the citizens of the City of Fort Wayne.

Dated 2/18/58

Robert H. Lines
Attorney for Remonstrators

BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE

RE: DECLARATORY RESOLUTION
NUMBER 966-1957

REMONSTRANCE

FAY W. LEAS
ROBERT L. HINES
LAWYERS
334 UTILITY BUILDING
FORT WAYNE 2, INDIANA

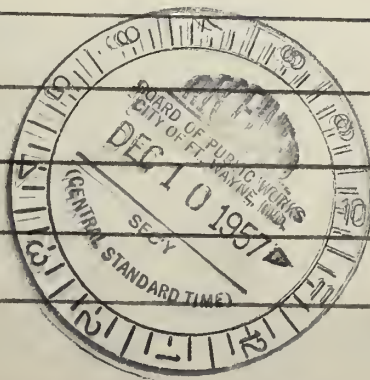
TO THE COMMON COUNCIL AND CITY PLAN COMMISSION OF CITY OF FORT WAYNE, INDIANA.

We the undersigned respectfully remonstrate against the closing of Pittsburg Street east of Kitch Street. We are customers of the Carnall Standard Service Station, and use that street to get to and from the service station.

NAME

ADDRESS

NAME	ADDRESS
- Charles G. Ginn	12110 DuChair.
- Wagon Morningstar	3026 Pennsylvania St
- Geo F. Smith	1023 E Wayne St
- M. Burry	3030 Pennsylvania.
- Charles W. Forman	1423 Wabash ave.
- Wayne B. Ginn	1415 Kitch ave
- Harold D. Hill	1426 Kitch Ave
- Richard L. Hill	1426 Kitch ave.
- Carl F. Sapp	3701 Schell ave.
- Lawrence King	520 Royalton
- Perry Carter	2536 Edsall
- Edward Reed	1706 Tally St
- Billy Craig	2502 Edsall Ave
- Rellie Hill	3424 Schelle Ave
- Ollie Hill	2112 Edsall Ave
- Glick Foster	2502 EDSALL AVE



TO THE COMMON COUNCIL AND CITY PLAN COMMISSION OF CITY OF PORT WAYNE, INDIANA.

We the undersigned respectfully remonstrate against the closing of Pittsburg Street east of Kitch Street. We are customers of the Carnall Standard Service Station, and use that street to get to and from the service station.

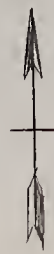
NAME _____

ADDRESS

976 #20

LAYOUT OF
THOMSON - SCHLECHT
PROPERTY
3200 LINCOLN HWY EAST

NORTH



(WESTBOUND)

DISTRIBUTION HIGHWAY

KITCH ST

76

75

DISTRIBUTION

HIGHWAY

(EASTBOUND)

PITTSBURGH STREET

FILLING
STATION

CUSTARD
STAND

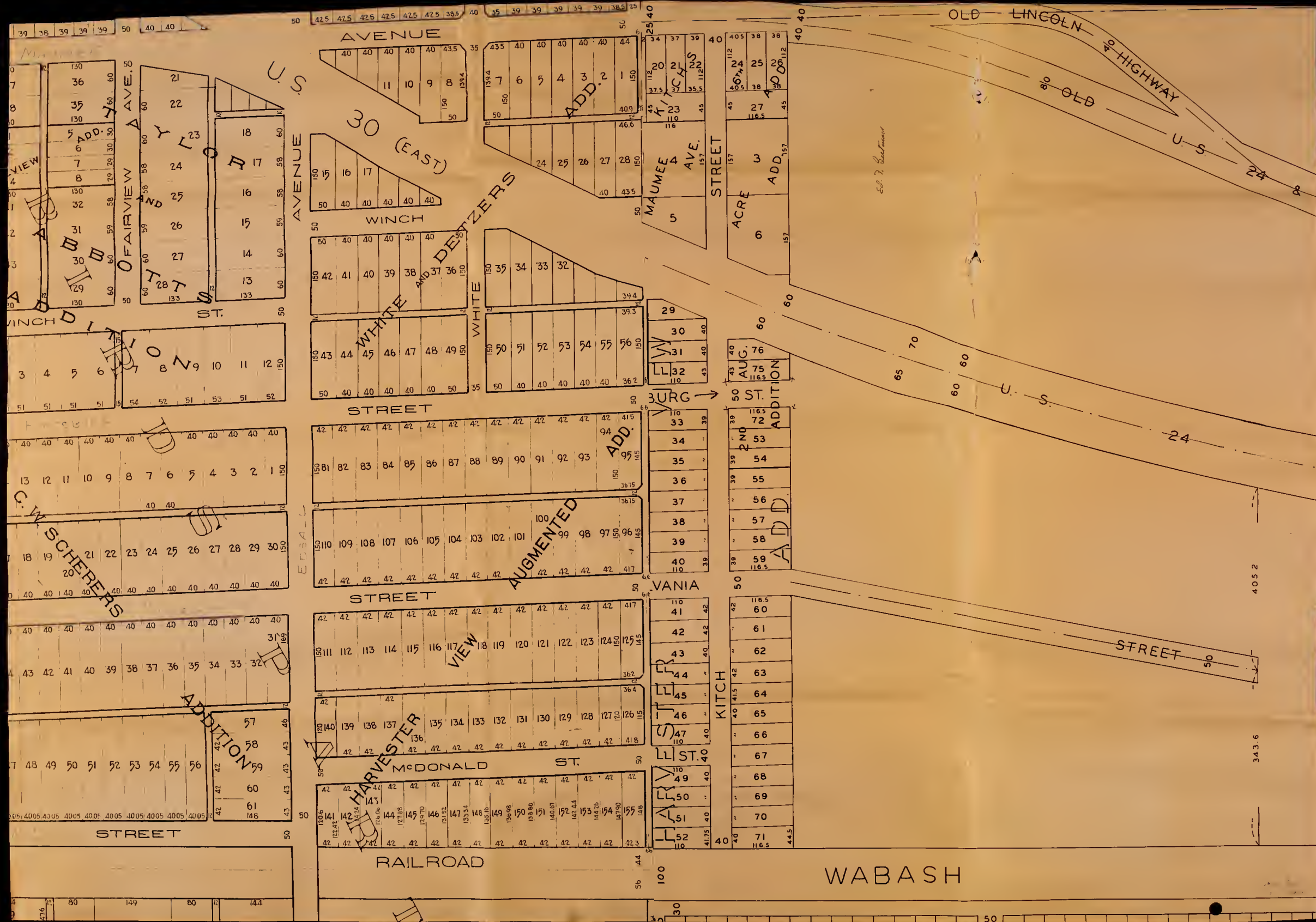
DRIVE

72

16.5'

PENNSYLVANIA

STREET



PROPERTY LINE OF KITCH STREET TO THE EAST PROPERTY LINE OF LOTS No. 72 AND 75, HARVESTER VIEW
2ND AUGMENTED ADDITION.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	MARABLE, ELMER A. + NEOMA E.	1401 KITCH		72			HARVESTER VIEW 2ND AUGMENTED ADD.
2	DONAHUE, CHARLES E. + DOROTHY A.	1327 KITCH		75			"
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65							
			TOTAL				

DECLARATORY RESOLUTION NO. 966-1957

For the Vacating of Pittsburg Street from the east property line of Kitch Street to the east property line of Lots No. 72 and 75, Harvester View 2nd Augmented Addition.

PLANS ORDERED: March 7, 1957
ADOPTED: January 23, 1958
ADVERTISE: Jan. 29 and Feb. 5, 1958
HEARING ON CONFIRMATION: Thurs. Feb. 20, 1958, 6:30 P.M.
CONFIRMED: ALL ACTION RESCINDED CST.
FEB 20 1958
ASSESSMENT ROLL ORDERED:
ASSESSMENT ROLL APPROVED:
HEARING OF CONFIRMATION
OF ASSESSMENT:
NOTICES SERVED:
ASSESSMENT ROLL CONFIRMED:

966